

THE ENVIRONMENTAL JUSTICE POLICY OF THE EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

The Environmental Justice (EJ) Policy of the Executive Office of Environmental Affairs (EOEA) is a new tool in the Commonwealth's effort to protect the environment and public health in the Commonwealth. It reinforces and enhances EOEA efforts to meet the existing legal mandates in Title VI of the federal Civil Rights Act of 1964, which apply to all recipients of federal financial assistance, including all EOEA agencies. Informed by an advisory committee of stakeholders known as the Massachusetts Environmental Justice Advisory Committee (MEJAC), with representatives of community groups, industry, the faith community, academia, and the indigenous community, the Policy directs state resources to serve the high minority, non-English speaking and low-income neighborhoods across the state. These resources will ensure that EJ populations have a strong voice in environmental decision-making, receive the full protection afforded them through existing environmental rules and regulations, and increase access to investments that will enhance quality of life in these communities by restoring degraded natural resources (21E sites), enhancing open space and building the urban park network.

What is EJ?

Environmental justice is based on the principle that all people have a right to be protected from environmental pollution and to live in and enjoy a clean and healthful environment. Environmental justice is the equal protection and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies and the equitable distribution of environmental benefits.

What Does the EOEA EJ Policy Do?

EOEA's EJ Policy makes environmental justice an integral consideration in the implementation of all state environmental programs, including, but not limited to, the grant of financial resources, the promulgation, implementation and enforcement of laws, regulations, and policies, and the provision of access to both active and passive open space.

How Does the Policy Promote EJ?

The Policy focuses EOEA resources to service the high-minority/low-income neighborhoods in Massachusetts where the residents are likely to be unaware of or unable to participate in environmental decision-making or to gain access to state environmental resources. The Policy defines EJ populations as neighborhoods (U.S. Census Bureau census block groups) that meet one or more of the following criteria:

The median annual household income is at or below 65 percent of the statewide median income for Massachusetts; or

25 percent of the residents are minority; or

25 percent of the residents are foreign born, or

25 percent of the residents are lacking English language proficiency.

The EJ Population map shows that many of these neighborhoods are located in densely populated urban neighborhoods, in and around the state's oldest industrial sites. These neighborhoods encompass only a small portion of the land area of the Commonwealth (less than 5%) but they are home to a large percentage of the state's population (nearly 29%). These neighborhoods also host, or are in close proximity to, many of the state's contaminated and abandoned sites and large sources of air emissions.

What Services Will Be Provided to These EJ Populations?

This Policy identifies a number of specific services to be provided to EJ Populations by the Secretary, EOEA agencies and other related state agencies.

Increasing Public Participation/Outreach: To enhance opportunities for residents to participate in environmental decision-making, the Policy calls for the appointment of a Director of Environmental Justice and Brownfields Programs within the Office of the Secretary. The Policy requires EOEA agencies to prepare public participation strategies, to conduct EJ training programs, to develop agency and program fact sheets in languages other than English, and to start up Regional Agency EJ Outreach Teams. These teams will meet with neighborhood residents and community-based organizations to assist the agencies in targeting services and resources.

Minimizing Risk: To minimize risks to these neighborhoods, the Policy requires EOEA Agencies to target their compliance, enforcement and technical assistance, giving priority to EJ Populations to ensure that all existing facilities in these neighborhoods comply with all environmental rules and regulations. To address the issue of increased risk from proposed sources of pollution, the Policy requires enhanced environmental review of new or expanding large sources of air emissions and regional waste facilities in these neighborhoods through the Massachusetts Environmental Policy Act (MEPA).

Encouraging Investments: To encourage investment in economic growth in these neighborhoods, in particular where an opportunity exists to clean up a contaminated site and encourage its clean, productive use, the Policy outlines ways in which the Massachusetts Environmental Policy Act (MEPA) has recognized remediation projects as environmentally beneficial and reduced or eliminated the need for MEPA review. The Policy outlines a process for MEPA to expedite the review of brownfields redevelopment projects that offer opportunities to clean up contaminated sites and to bring them into clean productive use.

Infusing State Resources: Through this Policy, EOEA expands its brownfields efforts to support the development of an inventory of Underutilized Commercial/Industrial Properties in the Commonwealth and commits nearly \$1 million in EOEA capital funds in FY 2003 to support the assessment and clean up of 21E sites within EJ Communities. It also requires EOEA and its agencies to incorporate EJ as a criterion for awarding technical assistance, grants, audits and 21E site investigations in EJ populations. Lastly, the Policy promotes economic development projects that incorporate cleaner production practices in neighborhoods where EJ populations reside and targets open space resources

to more effectively create, restore, and maintain open spaces located in neighborhoods where EJ Populations reside.